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5 **UNITED STATES DISTRICT COURT**  
 6 **DISTRICT OF NEVADA**

7 \* \* \* \* \*

8 UNITED STATES OF AMERICA,  
 9 Plaintiff,

10 vs.

11 EVERLY JAMES  
 12 Defendant.

CASE NO. 2:17-cr-00180-JAD-PAL

**STIPULATION TO CONTINUE  
 OBJECTIONS TO THE REPORT AND  
 RECOMMENDATION DENYING THE  
 MOTION TO DISMISS INDICTMENT  
 (ECF No. 335)(First Request)**

13 IT IS HEREBY STIPULATED AND AGREED, by and between the United States of  
 14 America, by and through Tony Lopez, Assistant United States Attorney, and Everly James, by  
 15 and through his attorney, Christopher R. Oram, that the Objections to the Report and  
 16 Recommendations Denying the Motion to Dismiss (ECF No. 335), currently due by Friday, May  
 17 18, 2018, be continued for two (2) weeks, until Friday June 1, 2018, for the following reasons:

18 1. Plea negotiations are continuing in the instant case and the parties desire to attempt to  
 19 resolve the case prior to any objections being filed. Counsel for the Government recently  
 20 appeared on this case and requires additional time to prepare an offer in the case.

21 2. The defendant is in custody and does not object to this stipulation.

22 3. Denial of this request could result in a miscarriage of justice

23 4. This is the first request to continue the Objections to the Report and Recommendation  
 24 denying the Motion to Dismiss.

25 /s/ Tony Lopez 05/17/2018

26 TONY LOPEZ DATE

27 Assistant United States Attorney

/s/ Christopher R. Oram 05/17/2018

CHRISTOPHER R. ORAM DATE

Counsel for Defendant E. James

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Based upon the pending Stipulation of the parties, and good cause appearing therefore, the Court finds that:

1. Plea negotiations are continuing in the instant case and the parties desire to attempt to resolve the case prior to any objections being filed. Counsel for the Government recently appeared on this case and requires additional time to prepare an offer in the case.

2. The defendant is in custody and does not object to this stipulation.

3. Denial of this request could result in a miscarriage of justice

4. This is the first request to continue the Objections to the Report and Recommendation denying the Motion to Dismiss.

For all of the above-stated reasons, the end of justice would best be served by a two week continuance of the deadline for the Defendant to file Objections to the Report and Recommendations Denying the Motion to Dismiss.

## **ORDER**

IT IS ORDERED that the Defendant's deadline to object to the Report and Recommendation Denying the Motion to Dismiss currently scheduled for May 18, 2018, be vacated and continued to June 1, 2018.

DATED: 5/22/2018  
Nunc Pro Tunc: 5/18/2018

Jennifer A. Dorsey  
U.S. District Judge